

MEMORANDUM

TO: District of Columbia Zoning Commission

FROM: Jennifer Steingasser, Deputy Director

DATE: September 30, 2013

SUBJECT: Public Hearing Report for ZC #10-31
N and South Capitol Streets, SE
Zoning Commission Design Review Under the Capitol Gateway Overlay

I. SUMMARY RECOMMENDATION

The application successfully addresses many of the criteria of the Capitol Gateway Overlay and the Office of Planning (OP) supports the project. OP has requested that the applicant provide more information as described in this report, at or prior to the public hearing. Those items are summarized below. OP cannot recommend approval of the requested loading variance, and has requested that the applicant provide additional justification or provide the required loading.

- Provide better plans for the north façade
- The north façade should have visual articulation and interest
- Provide a better materials sheet in the plans
- Provide more bicycle parking spaces
- Use of garage in off-hours
- Show the loading platforms on the plans

II. APPLICATION-IN-BRIEF

Location	Northeast corner of N and South Capitol Streets, SE Ward 6, ANC 6D
Applicant	DC Ballpark 2, LLC (Monument Realty)
Zoning	CR / CG (Commercial Residential / Capitol Gateway Overlay)
Site Area	29,626 sf
Proposed Development	A 130', 9.5 FAR mixed use building with office and retail. Office 271,720 sf <u>Retail</u> 9,420 sf Total 281,140 sf
Relief	Pursuant to 11 DCMR §1610.7, the following relief is required in order to develop as proposed: 1. Variance from loading requirements (§ 2201), to provide two 30-foot berths instead of the required three.

III. SITE AND AREA DESCRIPTION

The subject property is located on N Street, SE, between South Capitol Street and Van Street, in Square 700. N Street has a 90 foot right-of-way, South Capitol Street is 160 feet wide, and Van Street is 50 feet wide. The subject site is currently vacant. It is zoned CR / CG (Commercial Residential / Capitol Gateway Overlay), as are the other properties in Square 700 and 701 to the east. Please refer to the Vicinity Map in Attachment 3. The Navy Yard metro station west entrance is two blocks to the northeast at the corner of M and Half Streets.

The subject property is adjacent to a self-storage warehouse to the north. West of South Capitol Street are one story commercial uses which are zoned CG/C-2-C (medium density mixed use). A baseball parking garage is across N Street to the south. Across Van Street is the site of case 08-30, approved by the Commission in 2009. In that application, Akridge proposed a mixed use project with office, residential and retail that occupied the entire eastern half of Square 700 in two buildings to a height of 110 feet. At ground level, facing the subject site, the Akridge project will have some retail on Van Street, but also a parking entrance, loading and transformer vaults.

IV. PROJECT DESCRIPTION

The application proposes a 130', 11-story office building with ground floor retail. The total FAR would be 9.5, with 9,420 square feet of retail and 271,720 square feet of office (Plan Set, Sheet 3).

Building Design

Retail would occupy all of the N Street façade. The South Capitol façade would have retail at the southern end, an office lobby, and office space at the northern end. Van Street would have considerable retail frontage, as well as parking and loading access. Please refer to Sheet 9 of the plan set. Unlike other areas in the CG Overlay, there is no specific retail requirement, but the considerable retail frontage for this property is consistent with the intent of the overlay in promoting entertainment uses and uses that complement the ballpark environment. In conformance with the provisions of the CG Overlay, the building would be set back 15 feet from the South Capitol Street property line, with additional pedestrian space reserved at the ground level.

Levels two through eleven would be devoted entirely to office uses. At the 110' (10th floor) level, the building would step back from South Capitol Street, in conformance with the one-to-one stepback of the CG Overlay. The design also proposes a stepback from the northern property line at the 10th floor. Fifty percent of the roof would be a green roof and a small roof deck at the southwestern corner of the structure would be available to building occupants.

OP is supportive of the massing and overall design of the proposal. The Capitol Gateway Overlay, as described in additional detail later in this report, seeks to create an active pedestrian

and transit-oriented environment and a vibrant entertainment district, especially in the area north of the ballpark. This project should help achieve those aims with a cohesive pedestrian environment with curb cuts concentrated on Van Street and retail frontage on Van, N and South Capitol Streets. The materials used on the skin of the building are predominantly glass, aluminum panel and aluminum framing for the east, south and west façades. The north façade would be comprised of precast concrete panels. Because that side will be exposed for an indeterminate amount of time, OP has asked for more detail about the appearance of that façade, beyond what the Sheet 22 elevation conveys.

The architecture also features a red-outline element surrounding the second and third floors at the southern end of the building. In addition, the southwest corner has a slight angled protrusion. The feature extends up to four feet into the N Street right-of-way, but not into the 15-foot setback along South Capitol Street.

Parking and Loading

The design includes 10 bicycle spaces. While compliant with the current zoning regulation requirements, 10 spaces would not meet the intent of District policies to promote bicycling. The application should provide a more substantial bicycle parking facility that would help achieve CG overlay guidance to reduce the impact of automobiles and minimize impacts to the environment. The project would provide 186 vehicular parking spaces. Parking access is via Van Street. The applicant should clarify how much, if any, underground parking would be available to ballpark patrons.

Loading would also be accessed from Van Street. The design proposes two 30-foot loading spaces and two 25-foot loading spaces. No loading platforms are indicated on the plans. The applicant requests variance relief to provide two 30-foot berths where three are required.

V. COMPREHENSIVE PLAN

The proposed development does not require PUD or rezoning approval, and is generally consistent with most aspects of the zoning regulations, specifically height, FAR and use. The proposal is generally consistent with the Comprehensive Plan and would further the following Guiding Principles of the Plan, as outlined in Chapter 2, the Framework Element:

1. Change in the District of Columbia is both inevitable and desirable. The key is to manage change in ways that protect the positive aspects of life in the city and reduce negatives such as poverty, crime, and homelessness. 217.1
4. The District needs both residential and non-residential growth to survive. Nonresidential growth benefits residents by creating jobs and opportunities for less affluent households to increase their income. 217.4
6. Redevelopment and infill opportunities along corridors and near transit stations will be an important component of reinvigorating and enhancing our neighborhoods. Development

on such sites must not compromise the integrity of stable neighborhoods and must be designed to respect the broader community context. Adequate infrastructure capacity should be ensured as growth occurs. 217.6

7. Growth in the District benefits not only District residents, but the region as well. By accommodating a larger number of jobs and residents, we can create the critical mass needed to support new services, sustain public transit, and improve regional environmental quality. 217.7
27. Washington's wide avenues are a lasting legacy of the 1791 L'Enfant Plan and are still one of the city's most distinctive features. The "great streets" of the city should be reinforced as an element of Washington's design through transportation, streetscape, and economic development programs. 220.3
35. Planning decisions should improve the health of District residents by reducing exposure to hazardous materials, improving the quality of surface and groundwater, and encouraging land use patterns and land uses that reduce air pollution and facilitate pedestrian and bicycle travel. 221.4

The application is also consistent with major policies from various elements of the Comprehensive Plan including the Land Use, Transportation and Economic Development Citywide Elements, and the Lower Anacostia Waterfront / Near Southwest Area Element. For a complete analysis of the project against Plan guidelines, please refer to Attachment 1.

VI. ZONING

The subject site is zoned CR / CG (Commercial-Residential / Capitol Gateway Overlay). The CR district is designed to "help create major new residential and mixed use areas in planned locations at appropriate densities, heights and mixture of uses" (600.3(a)). The Capitol Gateway Overlay is intended to encourage a mix of uses while creating a pedestrian-friendly environment. The applicant's proposal requires relief from the following specific zoning regulation:

1. Variance from loading requirements (§ 2201)

The building would provide loading per the following table:

Item	Required*	Provided
30-foot berth	3	2
20-foot delivery space	1	2 25-foot spaces
100-square foot platform	3	None indicated

* Note that a 55-foot berth is not required.

While the Office of Planning has no objection to the proposed loading configuration, the applicant should more clearly demonstrate the exceptional condition that relates to a practical difficulty in providing an additional 30-foot loading berth, as one of the 25-foot spaces appears

to be convertible to a 30-foot berth. Granting relief, however, would not impact the public good; The submitted traffic study indicates that the provided loading facilities would be sufficient to accommodate expected truck traffic.

The applicant should also indicate in the plans the location of the loading platforms.

VII. CRITERIA OF THE CAPITOL GATEWAY OVERLAY

The Capitol Gateway Overlay District lists a number of objectives for the overlay and provides specific criteria for the Zoning Commission review of proposed developments. The following is OP's analysis of these standards as applied to the application.

§1600.2 The purposes of the CG Overlay District are to:

- (a) Assure development of the area with a mixture of residential and commercial uses, and a suitable height, bulk and design of buildings, as generally indicated in the Comprehensive Plan and recommended by planning studies of the area;**

The project proposes office and retail uses, which are appropriate in the CG Overlay. The proposed height of 130 feet and the design shown by the applicant are generally appropriate to an area near the center of the city and accessible by Metro. OP supports the modern style of architecture. The massing of the building is not inconsistent with Comprehensive Plan direction for the area.

- (b) Encourage a variety of support and visitor-related uses, such as retail, service, entertainment, cultural and hotel or inn uses;**

The project proposes ground floor retail, which would meet the intent of this section, and which would enhance the pedestrian experience along South Capitol, N and Van Streets. The retail would add to the planned entertainment and retail environment in the area near the baseball stadium.

- (g) Provide for the establishment of South Capitol Street as a monumental civic boulevard;**

Because of the office use and concentration of ground floor retail, the proposed development would create an active pedestrian character on South Capitol Street. The design would also meet the intent of the CG Overlay by providing the 15' setback on South Capitol. It would also maintain the streetwall as intended by the CG regulations. Overall the architecture would provide an appropriate infill building for this section of the boulevard.

§ 1602 Combined Lot Development

§ 1602.1(e) In addition to [the normal Combined Lot Development (CLD) procedures limiting FAR to 8.5], the Zoning Commission may, at its discretion, grant an additional transfer of density of 1.0 FAR maximum to or within Squares 700, 701, and 702, subject to the applicant addressing to the satisfaction of the Zoning Commission the objectives and guidelines of §§ 1601 and 1604 – 1607, as applicable.

The applicant has generally addressed the objectives and guidelines of the relevant sections stated above. OP has no objection to the additional transfer of up to 1.0 FAR of CLD density.

§1605 Buildings, Structures, and Uses on South Capitol Street

§1605.1 The following provisions apply to new buildings, structures, or uses with frontage on South Capitol Street within the CG Overlay.

§1605.2 Each new building or structure located on South Capitol Street shall be set back for its entire height and frontage not less than 15 feet...

The design is set back at least 15 feet from the South Capitol Street property line.

§1605.3 Any portion of a building or structure that exceeds 110 feet in height shall provide an additional one-to-one (1:1) step-back from the building line along South Capitol Street.

The building would provide the one-to-one step back above the 110 foot height along the South Capitol Street façade.

§1605.4 No private driveway may be constructed or used from South Capitol Street to any parking or loading berth areas in or adjacent to a building or structure constructed after February 16, 2007.

Parking and loading will be accessed from Van Street, and no driveways are proposed for South Capitol Street.

§1605.5 For each new building or structure located on South Capitol Street, a minimum of 60% of the street-wall shall be constructed on the setback line...

The design proposes that more than 60% of the building face would be on the setback line.

§1610 Zoning Commission Review of Buildings, Structures and Uses

§1610.1 The following provisions apply to properties located:

- (c) On a lot located within Squares 700 or 701, north of the Ballpark site;**
- (d) On a lot that abuts South Capitol Street...;**
- (f) Any lot which is the recipient of density through the combined lot provisions of § 1602.**

§1610.2 With respect to those properties described in § 1610.1, all proposed uses, buildings, and structures, or any proposed exterior renovation to any existing buildings or structures that would result in an alteration of the exterior design, shall be subject to review and approval by the Zoning Commission in accordance with the following provisions.

§1610.3 In addition to proving that the proposed use, building, or structure meets the standards set forth in § 3104, an applicant requesting approval under this section must prove that the proposed building or structure, including the siting, architectural design, site plan, landscaping, sidewalk treatment, and operation, will:

- (a) Help achieve the objectives of the CG Overlay District as set forth in §1600.2;**

The project would generally further the objectives of the CG Overlay. The project would add a mix of uses to the area, including ground floor retail. The height and bulk of the building would be appropriate and as prescribed by the Comprehensive Plan, and would help establish South Capitol Street as a monumental civic boulevard. The development would provide adequate sidewalk width along N, Van and South Capitol Streets.

- (b) Help achieve the desired mixture of uses in the CG Overlay District as set forth in §§ 1600.2(a) and (b), with the identified preferred uses specifically being residential, hotel or inn, cultural, entertainment, retail or service uses;**

The proposal would provide office and retail, appropriate uses in an area developing as a mixed use neighborhood with a focus on entertainment and hospitality uses. Retail is identified as a preferred use in the CG overlay.

(c) Be in context with the surrounding neighborhood and street patterns;

The proposed development would respect and enhance the surrounding neighborhood and street patterns. The neighborhood has an emerging architectural character with some of the new buildings on M Street and the baseball stadium sharing a modern vernacular. The design of the proposed building would expand on that trend by using modern forms and materials and incorporating active street-level retail typical of an urban entertainment area.

(d) Minimize conflict between vehicles and pedestrians;

The proposed design would help to minimize conflict between vehicles and pedestrians. All loading and parking would be accessed from Van Street, which serves as an alley for this square. On South Capitol and N Streets pedestrians would have wide sidewalks and would be buffered from traffic by parked cars, landscaping and street furniture. A substantial sidewalk would also be provided on Van Street, which could be a pedestrian corridor to and from the Ballpark. The potential impacts of motor vehicles, however, could be further reduced with the provision of additional bike parking spaces. Additional spaces would encourage more use of bicycles to access the site.

(e) Minimize unarticulated blank walls adjacent to public spaces through facade articulation; and

The building would have almost no blank walls. The ground floor would incorporate a significant amount of glass to allow views into the office lobby and retail space. Upper floors would also have significant fenestration. OP asked the applicant to provide more information about the northern façade, which would be exposed for the foreseeable future and visible from South Capitol Street. The information provided in the application to date does not adequately portray that face of the building. Even though it would be a lot-line wall and could eventually be covered, the interim condition should provide some texture or visual interest and not a completely blank wall.

(f) Minimize impact on the environment, as demonstrated through the provision of an evaluation of the proposal against LEED certification standards.

The applicant has indicated that the design would achieve the equivalent of a LEED Silver rating. The LEED checklist provided by the applicant indicates that the project would achieve the equivalent of 50 LEED points, the minimum for a Silver rating, with another 20 points listed in the “potential” column of the scoresheet. OP appreciates the green features incorporated into the design, including the significant green roof, but encourages the applicant to achieve a higher LEED score, in conformance with Plan policies and the goals of the CG overlay. In addition, more bicycles spaces would encourage alternate modes of travel and reduce vehicular pollution.

1610.6 With respect to a building or structure which has frontage on South Capitol Street, SE:

- (a) The building or structure shall incorporate massing, materials, and buildings and streetscape landscaping to further the design and development of properties in a manner that is sensitive to the establishment of South Capitol Street as a monumental civic boulevard;**

The design would meet the provisions of the CG Overlay by providing a 15' setback on South Capitol, resulting in a wide sidewalk. According to the applicant, the landscaping plan is being refined and an updated plan will be submitted at the public hearing. The design will need to comply with DDOT standards for landscaping treatment on South Capitol Street. The design would maintain the streetwall as intended by the CG regulations and the architecture would be generally appropriate for this location.

- (b) The building or structure shall incorporate massing, location of access to parking and loading, and location of service areas to recognize the proximate residential neighborhood use and context, as applicable;**

The design uses appropriate locations for access to parking and loading, away from the two most major streets, and on the tertiary road, Van Street. The design also provides adequate pedestrian space on the adjacent sidewalks to encourage a walkable neighborhood.

- (c) The application shall include a view analysis that assesses openness of views and vistas around, including views toward the Capitol Dome, other federal monumental buildings, the Ballpark, and the waterfront.**

The application includes a number of photographs and renderings of the site with views toward the Capitol and to the south, as well as along N Street. The building would help frame the view along South Capitol Street, a major urban boulevard. In general the building would not impact the view of other monumental buildings, the Ballpark, or the waterfront, although as noted above, OP still has concerns with the design of the north elevation, which would be visible along South Capitol Street.

§1610.7 The Commission may hear and decide any additional requests for special exception or variance relief needed for the subject property. Such requests shall be advertised, heard, and decided together with the application for Zoning Commission review and approval.

As described in this report, the design of the project would require relief from the loading provisions of the Regulations.

VIII. AGENCY COMMENTS

OP received an email from the Metropolitan Police Department which did not indicate any concerns with the project, but did seek to make the applicant aware that South Capitol Street is an evacuation route, and that vehicular and pedestrian movement patterns near the project could be impacted by ballpark events. The DC Water memorandum notes that adequate water and sewer infrastructure is located in the neighborhood, but that a final evaluation of the project's demands would be completed at the building permit stage. Please see Attachment 2 for a copies of the agency comments. As of this writing OP is not aware of any other agency comments.

IX. COMMUNITY COMMENTS

As of this writing the OP has received no comments on the project from the community.

X. ATTACHMENTS

1. Comprehensive Plan Analysis
2. Agency Referrals
 - a. MPD Email
 - b. DC Water Memo
3. Vicinity Map

JS/mrj

Attachment 1 Comprehensive Plan Analysis

Comprehensive Plan Policies

The Land Use Element encourages infill development and development near metro stations (Policies LU-1.3.1 and LU-1.3.2). That element also envisions the neighborhood near the baseball stadium as one of the areas for growth of the central city, with significant office and residential development (§304.3). The Transportation Element supports transit-oriented development and discourages auto-oriented uses (T-1.1.4 and T-1.2.3). The proposed development would concentrate office and retail two blocks from a Metro entrance and improve the streetscape to encourage walking. The Economic Development Element talks about the need to accommodate the continuing growth of the office sector, and suggests the area near South Capitol Street as one location for new office development (§707.6). Policies also seek to enhance DC as a regional shopping destination and also promote “new and enhanced visitor and entertainment venues” to draw national and international visitors (Policies ED-2.2.2 and 2.3.2). The retail in the proposed development could potentially be used for a restaurant or other visitor-related uses.

The Lower Anacostia Waterfront / Near Southwest Area Element encourages the development of new neighborhoods on lands that are vacant or available for redevelopment, and especially emphasizes the need to provide additional retail options for these areas (Policies AW-1.1.2 and 1.1.3). That element goes on to emphasize the need for a pedestrian friendly environment (Policy AW-1.1.6). The proposed development would be a major factor in creating a new, walkable and mixed use neighborhood in near southeast and would not be inconsistent with the policies of the Comprehensive Plan.

Comprehensive Plan Land Use Maps

The Comprehensive Plan’s Generalized Policy Map describes this neighborhood as a Land Use Change Area. The Comprehensive Plan anticipates and encourages the redevelopment of underutilized sites in Land Use Change Areas. Plan policies promote a mix of uses in these areas as well as “exemplary site and architectural design” (Comprehensive Plan, §223.12). The plan notes that these areas have the potential to become complete mixed use communities (§223.11). The Future Land Use Map designates this area for a mix of High Density Residential and High Density Commercial uses. These designations are the most dense in the city and are characteristic of areas like downtown. The proposed development is not inconsistent with the Comprehensive Plan’s land use map designations.

Anacostia Waterfront Initiative

The subject site is within the Anacostia Waterfront Initiative (AWI) area. The vision of the AWI is of a clean and vibrant waterfront with a variety of parks, recreation opportunities, and places for people to meet, relax, encounter nature and experience the heritage of the waterfront. The

AWI also seeks to revitalize surrounding neighborhoods, enhance and protect park areas, improve water quality and environment, and, where appropriate, increase access to the water and maritime activities along the waterfront. One of the neighborhoods designated for improvement is the Near Southeast target area, which includes the subject site. The proposed development is not in conflict with planning principles cited in the AWI for the Near Southeast target area (AWI Framework Plan, p. 119), and would particularly further the following:

1. Extend the surrounding urban fabric to the waterfront, bringing the city to the Anacostia River.
2. Build upon the current wave of public and private development to create a comprehensive vision for the Near Southeast, integrating diverse projects.
7. Emphasize mixed-use development, integrating commercial and residential areas, to form a lively and active neighborhood throughout the Near Southeast.
9. Encourage commercial development to maximize economic growth and job creation, emphasizing major street corridors and transit connections.

Attachment 2 Agency Referrals

MPD Referral

Jesick, Matthew (OP)

From: Williams, Michelle J. (MPD)
Sent: Saturday, September 14, 2013 3:01 PM
To: Jesick, Matthew (OP)
Subject: Zoning Commission Case #10-31 - South Capitol & N Streets, Southeast

Good Afternoon Mr. Jesick,

I am contacting you in reference to the plans for a new office building which will be erected at the corner of South Capitol & N Streets, Southeast. It is my understanding that the developer is requesting comments or concerns from the Metropolitan Police Department. The following considerations should be noted:

- the location of the new structure will be located in a pre-designated emergency evacuation route
- the new structure will be located next to the Washington Nationals' Baseball Stadium which will affect vehicular traffic patterns and pedestrian traffic in the immediate area during stadium events
- the Metropolitan Police Department will take note of the new structure and it's impact on the surrounding neighborhoods and will adjust deployment as needed

The Metropolitan Police Department thanks you for our inclusion and consideration in this matter.

Michelle J. Williams

Captain
PSAs 106, 107, & 108
First District Sub-Station
500 E Street, S.E.
Washington, D.C. 20003
(202) 698-0056

DC Government hiring is going paperless! Beginning **September 9th**, all job applicants will submit online only! Visit [DCHR's website](#) for a list of job openings and more information on the transition to online applications.

DC Water Referral



Permit Operations

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY | 1100 4th STREET, SW | SUITE 310 | WASHINGTON, DC 20024

September 25, 2013

Matthew R. Jesick
Development Review Specialist
District of Columbia Office of Planning
1100 4th Street SW, 6th Floor
Washington, DC 20024

Re: Zoning Commission Case #10-31
Square 700, Lot 37, 38, 39, 45, 46, 803

Dear Mr. Jesick:

Please consider this letter as DC Water's response to the Zoning Commission's request for comments on Case #10-31. The proposed building is generally representative of the size, floor area, density, and/or use of the existing buildings adjacent to and/or in the vicinity of the project site. Therefore, the water and sewer demands for the proposed building will likely be similar to the existing water and sewer demands of the buildings adjacent to and/or in the vicinity of the project site. There is existing public water and sewer infrastructure located within 250 feet of the project site, therefore, the public water and sewer infrastructure is considered available per DCMR 12.

Please note that recent development projects within the vicinity of the Ballpark have triggered the need for, and have included, developer-funded improvements to the public water and sewer systems in order to meet specific project demands. Any upgrades needed to accommodate this project are unlikely to be included in DC Water's Capital Improvement Program in the immediate future. The applicant may at their option elect to replace or extend the public water and sewer systems, at their expense, to meet their project needs, or wait until DC Water replaces the water and sewer systems.

The response above describes the existing water and sewer infrastructure, and DC Water's evaluation of that infrastructure, as it currently exists per the date of this letter. This information is subject to change. A final determination of the existing public system's ability to support the proposed project cannot be made until detailed plans are submitted to DC Water for review.

If you have any questions or need further details, please do not hesitate to contact me at 202-646-8611 or email me at Callie.Swingle@dewater.com.

Sincerely,

Callie Swingle
Callie Swingle
Supervisor, Permit Operations

ATTACHMENT 3
VICINITY MAP

